UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,872	01/14/2000	Hitoshi Yanagawa	862-3206	7614

5514	7590	05/04/2005	

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EXAMINER
PHAM, THIERRY L

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/482,872	YANAGAWA, HITOSHI
	Examiner	Art Unit	
	Thierry L Pham	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 December 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>32-52</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>32-52</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>8/31/04</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

• This action is responsive to the following communication: an Amendment filed on 12/8/04.

• Claims 32-52 are pending in application.

• Independent claims 32, 38, 43, and 48 have been amended to include an additional limitation "for prompting an operator to instruct whether or to connect", which constitutes a new matter and herein, a new ground of rejection is made in view of newly found prior art reference to address a newly added limitation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 32-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hille (U.S. 6400462).

Regarding claim 32, Hille discloses a printing system (fig. 1) comprising:

• a printer apparatus (printer 11, fig. 1) including output means for performing a printing operation based on printing data transmitted via a communication line and notice means (communication cables 14-16, fig. 1) for sending to said information processing apparatus (computer 12, fig. 1) a notice showing a status of said printing apparatus (printer status, col. 2, lines 14-25); and

• an information processing apparatus (computer 12, fig. 1) including a display unit (display 13 of computer 12, fig. 1), a memory (inherently, all computers include a memory device for storing PC service tool software, col. 6, lines 28-60), identification means (PC service tool software incorporated within computer 12 for identifying errors sent from printer, col. 2, lines 14-67 and col. 6, lines 10-67, and col. 7, lines 18-21) for identifying the notice sent by said notice means, and control means for 1) when the notice is identified as a first type of notice (i.e. printer's error

displayed on computer 12, fig. 6), controlling the display unit to perform a display (displays printer's errors on computer's display 13, fig. 1) based on information corresponding to the first type of notice, which is stored in the memory in advance (computer 12 contains HTML files describing and solution for solving printer's errors, figs. 4-6, cols. 6-7), and 2) when the notice is identified as a second type of notice (HTML files contain different type of printer's errors including first and second types of errors), controlling the display unit to perform a request display countermeasure information corresponding to the second type of notice (computer 12 connects to the Internet periodically to download latest HTML files describing and solution for solving printer's errors, figs. 4-6, col. 2, lines 14-67 and cols. 6-7),

• wherein said information processing apparatus is connected to the internet (computer 12 connects to the Internet periodically to download latest HTML files describing and solution for solving printer's errors, figs. 4-6, col. 2, lines 14-67 and cols. 6-7), and wherein a display based on the countermeasure information which is obtained via the internet based on the downloaded is displayed on the display unit of said information processing apparatus.

Hille explicitly teaches PC computer 12 for periodically downloading the latest HTML files from the Internet describing the printers' errors and providing a solution for such errors and such HTML files are stored on its memory device in advance for future usage, but Hille fails to explicitly teach a print system wherein it displays an URL website for prompting an operator to instruct whether or not to connect to the Internet to download countermeasure information corresponding to printer's errors; in order words, Hille's system periodically retrieving/downloading countermeasure information in advance for future usage rather than displaying the URL websites to the operators when the problems exist/occur.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made by modifying PC service tool software of Hille (col. 6, lines 10-60) to download URL addresses and displays to the users via monitor 13 of fig. 1 for linking to the Internet for solution of solving the printer's errors when problems exits/occurs rather than downloading the whole HTML files as taught by Hille, by doing so, it reduces the storage memory usage (i.e. save costs) and allows the storage device to store more URL addresses. Please also notes, Hille also teaches an Internet Browser running on a computer 12, fig. 6.

Therefore, it would have been obvious to modify Hille's invention by downloading just the URL addresses rather than the whole HTML files to obtain the invention as specified in claim 1. **Please see arguments section for more details**.

Regarding claim 33, Hille further discloses the system according to claim 32, wherein, when the notice is identified as a third type of notice, the control means controls the display unit to display a request display of requiring a connection to a second URL (different HTML files and/or URL correspond to different type of errors, cols. 6-7) via the internet that is different from the first URL and is to obtain countermeasure information corresponding to the third type of notice.

Regarding claims 34-36, Hille further discloses the system according to claim 32, wherein the first type of notice corresponds to a problem that can be eliminated by a simple operation performed by an operator and by a serviceman (fig. 6, cols. 6-7).

Regarding claim 37, Hille further discloses the system according to claim 32, wherein said printer apparatus comprises an inkjet printer (printer 11, fig. 1, col. 1, lines 30-55 and col. 9, lines 13-30).

Regarding claims 38-42 recite limitations that are similar and in the same scope of invention as to those in claims 32-36 above; therefore, claims 38-42 are rejected for the same rejection rationale/basis as described in claims 32-36.

Regarding claims 43-47: Claims 43-47 are the method claims corresponding to the apparatus claims 32-36 (respectively). The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 32-36 above.

Claims 48-52 corresponds to claims 32-37 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All

computers have some type of computer readable memory medium (col. 6, lines 50-55) for storing computer programs, hence claims 48-52 would be rejected using the same rationale as in claims 32-52.

Response to Arguments

Applicant's arguments with respect to claims 32, 38, 43, and 48 have been considered but are moot in view of the new ground(s) of rejection.

- Regarding claims 32, 38, 43, and 48, the applicants argued the cited prior art of record (US 6400462) fails to teach and/or suggest the newly added limitations (prompting an operator to instruct to whether or not to connect to a first URL to obtain countermeasure information).

In response, the examiner notes the newly added limitations are not previously cited in claim 1. However, upon further consideration, a new ground of rejection is made in view of different interpretations of previously applied prior art reference. Please see claim 1 for more details. The examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention was made by modifying PC service tool software of Hille (col. 6, lines 10-60) to download URL addresses and displays to the users via monitor 13 of fig. 1 for linking to the Internet for solution of solving the printer's errors when problems exits/occurs rather than downloading the whole HTML files as taught by Hille, by doing so, it reduces the storage memory usage (i.e. save costs) and allows the storage device to store more URL addresses.

According the applicant's originally filed specification, URL addresses are pre-stored in advance in the storage memory, and when printer's problem exists, the information processing apparatus displays a pre-stored URL addresses to a user, thereby, allowing the users to connect to the Internet to retrieve information for solving such errors/problems. One of ordinary skill in the art would modify the system of Hille by downloading and pre-storing the URL addresses rather than the HTML files that corresponding to the problems/errors and to displays such URL addresses to the users when the problems exist. Please also notes, Hille also teaches an Internet Browser running on a computer 12, fig. 6.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (571) 2727439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
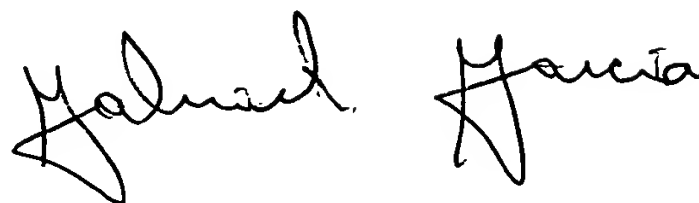
Thierry L. Pham

GABRIEL GARCIA
PRIMARY EXAMINER